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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,092	09/27/2005	Akio Koganei	03500.017995.	1685

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FITZPATRICK CELLA HARPER & SCINTO
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NEW YORK, NY 10112

EXAMINER .

HO, ANTHONY

ART UNIT	PAPER NUMBER
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2815

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/12/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/551,092	KOGANEI, AKIO	
	Examiner	Art Unit	
	Anthony Ho	2815	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 9-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 11/30/2006
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of claims 1-8 in the reply filed on March 26, 2007 is acknowledged.

Claims 9-13 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on March 26, 2007.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

The information disclosure statement (IDS) submitted on November 30, 2006 was filed after the mailing date of the instant application on September 27, 2005. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Drawings

Figure 3 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct

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any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities: For examination purposes, please claim foreign priority before Field of Invention section. For examination purposes, please replace "Background of the Invention" (page 1, line 12) with "Background of the Invention." For examination purposes, please state the units regarding "a consistency within a range of 200 to 700" (page 6, line 25; page 8, line 1) in order to clarify understanding of description. For examination purposes, please replace "...two second substrates (Fig. 11)..." (page 18, lines 13-14) with "...two second substrates (Fig. 13)..."

Appropriate correction is required.

The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

The use of the trademark TEFLON has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology. Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner, which might adversely affect their validity as trademarks.

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Claim Objections

Claims 7 and 8 are objected to because of the following informalities: For examination purposes, claims 7 and 8 should be rewritten to depend on claim 6. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 7 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 recites the limitation "pliable substance" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 8 recites the limitation "hygroscopic material" in line 2 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted elements are: the units of measurement for "a consistency within a range from 200 to 700." Since there are no units of measurement, it leaves the claims vague and unclear as to what is being claimed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, as best understood, are rejected under 35 U.S.C. 102(e) as being anticipated by Bernds et al (US PUB 2004/0026689).

Bernds et al discloses an organic thin film transistor utilizing an organic semiconductor film (22), comprising a first substrate (19, bottom), a gate electrode (20), a gate insulation film (21, bottom), an organic semiconductor film (22), a source electrode (S), a drain electrode (D), a protective film (21, top) and a second substrate (19, top) (Figure 6; paragraph 0042).

Bernds et al further discloses protective film comprises a pliable substance having a consistency within a range from 200 to 700 and protective film comprises a pliable substance and an insulation film (entire document).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1-6, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyashita et al (EP 0880303) in view of Chandross et al (US Patent 6,197,663).

Miyashita et al discloses an organic thin film transistor utilizing an organic semiconductor film, comprising a first substrate (404), a gate electrode (413), a gate insulation film (401), an organic semiconductor film (408), a source electrode (405), a drain electrode (405), and a protective film (415) (Figure 6; entire document).

Shimoda et al does not disclose a second substrate.

However, Chandross et al discloses a second substrate in thin film transistors (Abstract; column 2).

The advantage is to provide for a greater choice of process conditions and materials (column 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the organic thin film transistor as taught by Miyashita et al with including a second substrate as taught by Chandross et al in order to provide for a greater choice of process conditions and materials.

Miyashita et al further discloses protective film comprises a pliable substance having a consistency within a range from 200 to 700; protective film comprises a pliable substance and an insulation film, protective film comprises a pliable substance and a light-shielding film; and protective film is formed from a mixture containing a pliable substance and a hygroscopic material (entire document)

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Claims 1-6, as best understood, are rejected under 35 U.S.C. 103(a) as being unpatentable over Yudasaka (EP 0961525) in view of Chandross et al (US Patent 6,197,663).

Yudasaka discloses an organic thin film transistor utilizing an organic semiconductor film, comprising a first substrate (10), a gate electrode (31), a gate insulation film (51), an organic semiconductor film (43), a source electrode (sig), a drain electrode (22), and a protective film (60) (Figure 3; Figure 6; entire document).

Yudasaka does not disclose a second substrate.

However, Chandross et al discloses a second substrate in thin film transistors (Abstract; column 2).

The advantage is to provide for a greater choice of process conditions and materials (column 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the organic thin film transistor as taught by Yudasaka with including a second substrate as taught by Chandross et al in order to provide for a greater choice of process conditions and materials.

Yudasaka further discloses protective film comprises a pliable substance having a consistency within a range from 200 to 700; protective film comprises a pliable substance and an insulation film, protective film comprises a pliable substance and a light-shielding film; and protective film is formed from a mixture containing a pliable substance and a hygroscopic material (entire document)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Zhang et al (US Patent 6,661,024) teaches integrated circuit including field effect transistor and method of manufacture. Motomatsu (US Patent 6,525,339) teaches an organic electroluminescent element. Yamada et al (US Patent 6,664,563) teaches electroluminescence device with shock buffer function and sealing member with shock buffer function for the same. Baldwin et al (US PUB 2002/0155729) teaches semiconductor device encapsulation. Miwa et al (US PUB 2003/0098648) teaches a display device. Fujita et al (US Patent 6,758,538) teaches luminescent display device of active matrix drive type and fabrication method therefor.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Ho whose telephone number is 571-270-1432. The examiner can normally be reached on M-Th: 8:30AM-7:00PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Parker can be reached on 571-272-2298. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH
April 8, 2007


JEROME JACKSON
PRIMARY EXAMINER